GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVICES - MINES & GEOLOGY DEPARTMENT - Allegation of corruption of demand and acceptance of bribe against Sri Battu Hanumantha Rao, S/o Bhadrayya, Asst. Geologist(Retd.), O/o Asst. Director, Mines & Geology Department, Srikakualm Trapped on 19.09.2017 - Sanction for Prosecution Under the Prevention of Corruption Act- 1988 - Accorded - Orders - Issued.

INDUSTRIES & COMMERCE (VIG) DEPARTMENT

G.O.Ms No.4 Dated:29/01/2020
Read the following:

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ORDER:

1. WHEREAS, Sri Battu Hanumantha Rao, S/o Bhadrayya, worked as Asst. Geologist, O/o Asst. Director, Mines & Geology Department, Srikakualm from 08-12-2014 to 19.09.2017. By virtue of the post held by him, he falls under the category of a Public Servant as defined under section 2 (c) of the Prevention of Corruption Act 1988.

2. AND WHEREAS, Sri Gavini Leela Pavan has been working as Manager in M/s Kartikeya Nirman Company, Ocean Heights, Yendada, Visakhapatnam City and is looking after all the affairs in connection with construction works and also civil & criminal issues of the company. His company proposed to obtain permission to mining sand from free sand ramp at Srikakulam for construction of apartments at Yendada, Visakhapatnam City for which the firm authorized him to obtain free sand ramp permission from Mines & Geology Department for the above construction work at Srikakulam Office along with application and approved building plan. Sri Gavini Leela Pavan approached Sri Battu Hanumantha Rao, Assistant Geologist along with the above mentioned application on 17.09.2017 in the evening at his office with a request to recommend the said application. Then Sri Battu Hanumantha Rao, Assistant Geologist asked him to wait in Hotel Blue Earth in Srikakulam Town and he would come to the hotel. Sri Gavini Leela Pavan took room No. 311 in Blue Earth Hotel as directed by the Sri Battu Hanumantha Rao on 17.09.2017 at 07.30 PM. Sri Battu Hanumantha Rao, Assistant Geologist came to Hotel Blue Earth, then he showed the application for sand permission to him and requested Sri Battu Hanumantha Rao, Assistant Geologist to recommend the same to Assistant Director, Mines. Then Sri Battu Hanumantha Rao, Assistant Geologist demanded Rs. 7,00,000/- to recommend the said application. Sri Gavini Leela Pavan requested him that the amount is high and to reduce it. Upon his request, Sri Battu Hanumantha Rao, Asst. Geologist reduced the bribe amount from Rs.7,00,000/- to Rs.5,00,000/-. Under unavoidable circumstances, though he is unwilling to pay bribe, accepted the demand of Sri Battu Hanumantha Rao, Assistant Geologist. Sri Battu Hanumantha Rao, Asst. Geologist directed Sri G. Leela Pavan to bring the bribe amount of Rs. 5,00,000/- within 2 to 3 days and handover the same to him either at Hotel Blue Earth or at any other place as directed by Sri Battu Hanumantha Rao, Asst. Geologist. Though Sri G. Leela Pavan is reluctant to pay bribe amount, unwillingly he accepted the illegal demand of Sri Battu Hanumantha Rao. As Sri G. Leela Pavan was unwilling to pay the demanded bribe to Sri Hanumantha Rao, he came to the office of the DSP, ACB, CIU, Vijayawada camp at Visakhapatnam on 18.09.2017 at 10:00 Hrs and submitted a written report for taking necessary action against Sri Battu Hanumantha Rao. After observing the procedural formalities the DSP, ACB, CIU, Vijayawada camp at Visakhapatnam registered the report of Sri G. Leela Pavan as a case in Cr.No.10/RCT-CIU-VJA/2017 U/s. 7 of P.C. Act, 1988 on 19.09.2017 and submitted FIR to the concerned and made arrangements for laying the trap.

(P.T.O)

3. AND WHEREAS, after completion of the pre trap proceedings, the trap party left to the vicinity of the Hotel Blue Earth, Srikakulam on 19.09.2017, where Sri Battu Hanumantha Rao, Asst. Geologist was successfully trapped when he further demanded and accepted the bribe amount of Rs.5,00,000/- from Sri Gavini Leela Pavan and counted the amount with his both hands and kept the same in his left side front pant pocket. When both the hand fingers and the inner linings of left side pant pocket of Sri B. Hanumantha Rao, Asst. Geologist are subjected to chemical test separately, they yielded positive result. The tainted amount of Rs.5,00,000/- was recovered from the left side front pant pocket of Sri B. Hanumantha Rao. When compared, the serial numbers of the recovered currency notes were found tallied with those of the serial nos. of the currency notes produced by Sri Gavini Leela Pavan during pre-trap proceedings. The chemical tests conducted on the inner linings of the pant pocket of Sri B. Hanumantha Rao, which came into contact with the tainted amount also yielded positive result.

4. AND WHEREAS, the above said acts of Sri Battu Hanumantha Rao, who worked as Asst. Geologist, O/o Asst. Director, Mines & Geology Department, Srikakualm, constitute offence punishable under sections 7 & 13(2) read with 13(1) (d) of Prevention of Corruption Act, 1988.

5. AND WHEREAS, the Government of Andhra Pradesh being the competent authority to remove Sri Battu Hanumantha Rao, who worked as Asst. Geologist, O/o Asst. Director, Mines & Geology Department, Srikakualm from service after fully and carefully examining the material (i.e. FIR, Mediator Reports, and final investigation report of the Director General, ACB, A.P.) placed before the Government in respect of the said allegations and having regard to the facts and the circumstances of the case consider that Sri Battu Hanumantha Rao, who worked as Asst. Geologist, O/o Asst. Director, Mines & Geology Department, Srikakualm should be prosecuted in a Court of Law.

6. NOW THEREFORE, in exercise of the powers conferred by Clause (b) of Sub-Section (1) of Section 19 of the Prevention of Corruption Act, 1988, the Government of Andhra Pradesh hereby accorded sanction to prosecute Sri Battu Hanumantha Rao, Asst. Geologist(retd.) O/o Asst. Director, Mines & Geology Department, Srikakualm for the above said offences punishable under sections 7 & sub. sec. (2) of sec. 13 read with clause (d) of sub. sec. (1) of sec.13 of the Prevention of Corruption Act, 1988 and for any other cognate offences punishable under any other provisions of Law for the time being in force in respect of the aforesaid acts and for taking cognizance of the said offences by a court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

K. RAMGOPAL
SECRETARY TO GOVERNMENT

To
The Director General Anti-Corruption Bureau,
Vijayawada, Andhra Pradesh.